

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

)	
PAMELA STELLA, individually and)	
on behalf of all others similarly situated,)	
)	
Plaintiff,)	
)	No. 07-CV-6509
v.)	Hon. Elaine E. Bucklo
)	Magistrate Judge Arlander Keys
LVMH PERFUMES AND COSMETICS)	
USA, INC., a New York Corporation,)	
)	
Defendant.)	
)	

**DEFENDANT LVMH'S UNOPPOSED MOTION TO EXTEND TIME
TO ANSWER OR OTHERWISE RESPOND**

Defendant LVMH Perfumes and Cosmetics USA, Inc. (“LVMH”) respectfully moves this Court for an order extending by 14 days the time for LVMH to answer or otherwise plead or move in response to the Complaint in this action. In support of this motion, LVMH states:

1. The Complaint in this action was filed on November 16, 2007 and served on LVMH's registered agent on or about November 27, 2007.
2. On December 14, 2007, LVMH filed an unopposed motion for a 30-day extension of time to answer or otherwise respond to the Complaint. That motion was granted by this Court on December 20, 2007. As a result, LVMH is now due to answer or otherwise plead or move in response to the Complaint by January 16, 2008. The Court has set an initial status in the case for January 31, 2008.
3. The Complaint seeks certification of a nationwide class of consumers who purchased LVMH lipstick products allegedly containing lead. It asserts a wide variety of statutory and common law claims seeking significant monetary and injunctive relief.

4. Counsel for LVMH has been working diligently on its factual investigation and legal analysis of the claims, including consulting with business and scientific personnel in numerous locales. Despite their best efforts, counsel for LVMH need additional time to prepare its response. Accordingly, LVMH requests a further brief extension of time (until January 30, 2008) to answer or otherwise plead or move in response to the Complaint.

5. Moreover, on January 7, 2008, a virtually identical complaint was filed in this Court against LVMH by other plaintiff's counsel: *Quinn v. LVMH Perfumes and Cosmetics USA, Inc.*, No. 08-CV-138 (N.D. Ill.) (J., Grady). To LVMH counsel's knowledge, the *Quinn* complaint has not yet been served. LVMH's counsel is evaluating whether this lawsuit and the later-filed *Quinn* lawsuit should be consolidated for pre-trial purposes, and the requested 14-day extension will permit this evaluation to be completed.

6. The requested extension is not sought for any improper purpose, and it will not unreasonably delay this action or prejudice any of the parties.

7. Counsel for LVMH has conferred with Plaintiff's counsel about the requested extension of time, and Plaintiff's counsel have stated that they do not object.

WHEREFORE, Defendant LVMH respectfully requests that this Court grant this unopposed motion and enter an order extending the time for LVMH to answer or otherwise respond to the Complaint until January 30, 2008

Date: January 16, 2008

Respectfully submitted,

**LVMH PERFUMES AND COSMETICS
USA, INC.**

By: s/ Rachael M. Trummel
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Rachael M. Trummel, an attorney, hereby certify that I caused a true and correct copy of the foregoing **LVMH'S UNOPPOSED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT** to be served upon the following on this date, January 16, 2007, by ECF/PACER electronic notice and by U.S. Mail as indicated:

By ECF/PACER Electronic Notice

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s/Rachael M. Trummel